

RHS:rhs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

00-6024 CR-FERGUSON
CASE NO. _____

21 U.S.C. §841(a)(1)

21 U.S.C. §846

18 U.S.C. §2

**MAGISTRATE JUDGE
SNOW**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

OSWALDO DELAROSA and
HENRY HERNANDEZ,

Defendants.

INDICTMENT

The Grand Jury charges that:

COUNT I

On or about January 21, 2000, at Broward and Miami-Dade Counties, in the Southern
District of Florida, and elsewhere, the defendants,

OSWALDO DELAROSA and
HENRY HERNANDEZ,

did knowingly and intentionally combine, conspire, confederate and agree with each other and
with others known and unknown to the grand jury to possess with intent to distribute a Schedule
II controlled substance, that is a mixture and substance containing a detectable amount of cocaine,

6pb

in violation of Title 21, United States Code, Section 841(a)(1); all in violation of Title 21, United States Code, Section 846.

COUNT II

On or about January 21, 2000, at Broward and Miami-Dade Counties, in the Southern District of Florida, and elsewhere, the defendants,

OSWALDO DELAROSA and
HENRY HERNANDEZ,

did knowingly and intentionally possess with intent to distribute a Schedule II controlled substance, that is a mixture and substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

A TRUE BILL

Richard M. Sloan
FOREPERSON

Thomas E. Scott
THOMAS E. SCOTT
UNITED STATES ATTORNEY

Steven R. Stefan
for ROGER H. STEFIN
UNITED STATES ATTORNEY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA

CASE NO. _____

v.
**OSWALDO DELAROSA and
HENRY HERNANDEZ**

CERTIFICATE OF TRIAL ATTORNEY***Superseding Case Information:****Court Division:** (Select One)

____ Miami ____ Key West
X FTL ____ WPB ____ FTP

New Defendant(s) Yes ____ No ____
 Number of New Defendants ____
 Total number of counts ____

I do hereby certify that:

- I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
- I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

- Interpreter: (Yes or No) **NO**
 List language and/or dialect _____

- This case will take 2 days for the parties to try.

- Please check appropriate category and type of offense listed below:
(Check only one) (Check only one)

I	0 to 5 days	X _____	Petty	_____
II	6 to 10 days	_____	Minor	_____
III	11 to 20 days	_____	Misdem.	_____
IV	21 to 60 days	_____	Felony	X _____
V	61 days and over	_____		

- Has this case been previously filed in this District Court? (Yes or No) **NO**

If yes:

Judge: _____

Case No. _____

(Attach copy of dispositive order)

Has a complaint been filed in this matter?(Yes or No) **YES**

If yes:

Magistrate Case No. 00-M-4011-BSS

Related Miscellaneous numbers: _____

Defendant(s) in federal custody as of 1/20/00 (DELAROSA)

Defendant(s) in state custody as of _____

Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) **NO**

- Does this case originate from a matter pending in the U. S. Attorney's Office prior to April 1, 1999? ____ Yes **X** No If yes, was it pending in the Central Region? ____ Yes **X** No

for Steven R. Stefin
ROGER H. STEFIN
 ASSISTANT UNITED STATES ATTORNEY
 Florida Bar No. 0287334

*Penalty Sheet(s) attached

REV.4/7/99

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
PENALTY SHEET**

Defendant's Name: OSWALDO DELAROSA No.: _____

Count #:1

CONSPIRACY TO POSSESS WITH INTENT TO DISTRIBUTE COCAINE

TITLE 21, U.S.C. § 846

*Max. Penalty: 10 YEARS' TO LIFE IMPRISONMENT, AND \$4,000,000 FINE

Count #:2

POSSESSION WITH INTENT TO DISTRIBUTE COCAINE

TITLE 21, U.S.C. § 841(a)(1)

*Max. Penalty: 10 YEARS' TO LIFE IMPRISONMENT, AND \$4,000,000 FINE

Count #:3

*Max. Penalty:

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
PENALTY SHEET**

Defendant's Name: HENRY HERNANDEZ No.: _____

Count #:1

CONSPIRACY TO POSSESS WITH INTENT TO DISTRIBUTE COCAINE

TITLE 21, U.S.C. § 846

*Max. Penalty: 10 YEARS' TO LIFE IMPRISONMENT, AND \$4,000,000 FINE

Count #:2

POSSESSION WITH INTENT TO DISTRIBUTE COCAINE

TITLE 21, U.S.C. § 841(a)(1)

*Max. Penalty: 10 YEARS' TO LIFE IMPRISONMENT, AND \$4,000,000 FINE

Count #:3

*Max. Penalty:

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**